IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JUAN LABOY ALMODOVAR, Plaintiff v. OFC. MATTHEW BLAKE, OFC. DONALD MORANT, OFC. STANLEY ROACHE, OFC. KURTIS MILLER, and OFC. GINDER, in their individual capacities, Defendants	:	CIVIL ACTION NO. 08-2163 JURY TRIAL DEMANDED

DEFENDANTS' PROPOSED VERDICT QUESTIONS

1. Do you find by a preponderance of the evidence, that either Defendant Roache, Morant, Blake, Miller or Gidner applied an excessive and unreasonable amount of force when they arrested Plaintiff, Juan Almodovar, during the June 9, 2006 incident on West King Street in Lancaster City or when Plaintiff was in their custody?

Officer Stanley Roache	YES ______	NO ______
Officer Donald Morant	YES ______	NO ______
Officer Matthew Blake	YES ______	NO ______
Officer Thomas Gindner	YES ______	NO ______

If you answered "Yes" as to any Defendant, the please go to Question No. 2.

If you answered "No" as to each Defendant, then this concludes your deliberations. Please sign the last page of the verdict form and return to the courtroom.

2. Do you find by a preponderance of the evidence, that either Defendant Roache, Morant, Blake, Miller or Gidner had a realistic and reasonable opportunity to the prevent the use of any excessive and unreasonable amount force by the other officers and failed to do so when they arrested Plaintiff, Juan Amodovar, during the June 9, 2006 incident on West King Street in Lancaster City or when Plaintiff was in their custody?

Officer Stanley Roache	YES ______	NO ______
Officer Donald Morant	YES ______	NO ______
Officer Matthew Blake	YES ______	NO ______
Officer Thomas Gindner	YES ______	NO ______

Please proceed to Question No. 3.

3. Do you find by a preponderance of the evidence, that either Defendant Roache, Morant, Blake, Miller or Gidner intentionally used excessive and unreasonable force which caused offensive and harmful bodily contact with Plaintiff or which caused Plaintiff reasonable apprehension of offensive and bodily contact, when they arrested Plaintiff during the June 9, 2006 incident on West King Street in Lancaster City or when Plaintiff was in their custody?

Officer Stanley Roache	YES ______	NO ______
Officer Donald Morant	YES ______	NO ______
Officer Matthew Blake	YES ______	NO ______
Officer Thomas Gindner	YES ______	NO ______

Please proceed to Question No. 4.

4. Do you find by a preponderance of the evidence, that either Defendant Roache, Morant, Blake, Miller or Gidner intentionally used excessive and unreasonable force that was so outrageous as to go beyond all possible bounds of decency and which caused Plaintiff severe emotional distress, when they arrested Plaintiff during the June 9, 2006 incident on West King Street in Lancaster City or when Plaintiff was in their custody?

Officer Stanley Roache	YES ______	NO ______
Officer Donald Morant	YES ______	NO ______
Officer Matthew Blake	YES ______	NO ______
Officer Thomas Gindner	YES ______	NO ______

Please proceed to Question No. 5.

5. State the amount of actual damages, if any, sustained by the Plaintiff, Juan Almodovar, as a result of the conduct of the Defendants.

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Please go to Question No. 6.

6. Did any of the Defendants act maliciously or wantonly toward the Plaintiff?

Officer Stanley Roache	YES ______	NO ______
Officer Donald Morant	YES ______	NO ______
Officer Matthew Blake	YES ______	NO ______
Officer Thomas Gindner	YES ______	NO ______

If you answered "Yes" as to any Defendant, the please go to Question No. 7.

If you answered "No" as to each Defendant, then this concludes your deliberations. Please sign the last page of the verdict form and return to the courtroom.

7. What amount of money do you award Plaintiff to punish the Defendants identified in the proceeding question (you may award an amount of money only for those Defendants for whom you answered “yes” in the previous question)?

Officer Stanley Roache	YES ______	NO ______
Officer Donald Morant	YES ______	NO ______
Officer Matthew Blake	YES ______	NO ______
Officer Thomas Gindner	YES ______	NO ______

Please sign the form and return to the courtroom.

Date:________________ ____________________________________
Foreperson